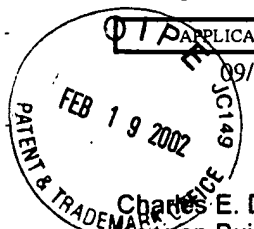




## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/978,601	10/16/2001	Brian R. Genge	16139/09015



Charles E. Dunlap  
Keenan Building, Third Floor  
1330 Lady Street  
Columbia, SC 29201

COPY OF PAPERS  
ORIGINALLY FILED

CONFIRMATION NO. 5106

## FORMALITIES LETTER



\*OC00000007116631\*

Date Mailed: 11/26/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 1 - ATTORNEY/APPLICANT COPY

**RECEIVED**

NOV 29 2001

NELSON MULLINS  
COLUMBIA OFFICE

COPY OF PAPERS  
ORIGINALLY FILED

PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 105.00

## Complete if Known

Application Number	09/978,601
Filing Date	10/16/2001
First Named Inventor	Brian R. Genge et al.
Examiner Name	Unknown
Group Art Unit	1755
Attorney Docket No.	16139/09015

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 50-1196

Deposit Account Name Nelson Mullins Riley...

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
----------	----------	----------	----------	-----------------

101	740	201	370	Utility filing fee
106	330	206	165	Design filing fee
107	510	207	255	Plant filing fee
108	740	208	370	Reissue filing fee
114	160	214	80	Provisional filing fee

Fee Paid

SUBTOTAL (1) (\$) 0.00

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)
----------	----------	----------	----------

103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	65.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 105.00

## SUBMITTED BY

Name (Print/Type) Charles E. Dunlap

Registration No. 35,124  
(Attorney/Agent)

Complete (if applicable)

Telephone 864-250-2238

Signature

Date 01/25/2002

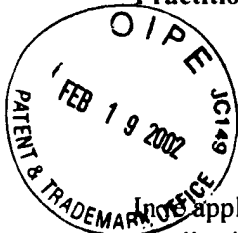
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

COPY OF PAPERS  
ORIGINALLY FILED

Practitioner's Docket No. 16139/09015

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Brian R. Genge et al.

Application No.: 09/978,601

Group No.: 1755

Filed: October 16, 2001

Examiner: Unknown

For: Biocompatible Cement Containing Reactive Calcium Phosphate Nanoparticles and Methods for Making and Using Such Cement

Box Missing Part  
Commissioner for Patents  
Washington, D.C. 20231

COMPLETION OF FILING REQUIREMENTS  
— NONPROVISIONAL APPLICATION

I This replies to the Notice to File Missing Parts of Nonprovisional Application (PTO-1533) mailed

CERTIFICATION UNDER 37 C.F.R. § § 1.8(a) and 1.10\*  
(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed Box Missing Parts, Commissioner for Patents, Washington D.C. 20231

37 CFR 1.8a

☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee" Mailing Label No. \_\_\_\_\_

37 CFR 1.10

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, 703 \_\_\_\_\_

Signature

Date: January 25, 2002

Diane Filatov

Type or print name of person certifying

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

November 26, 2001.

A copy of the Notice to File Missing Parts of Application--Filing Date Granted (Form PTO-1533) is enclosed.

#### **DECLARATION OR OATH**

**II.** No declaration or oath was filed. Enclosed are an original declarations or oaths for this application.

#### **COMPLETION FEES**

**III.**

**1. Surcharge Fees**

Late payment of filing fee  
and/or late filing of original  
declaration or oath

(37 C.F.R. Section 1.16(e)) \$65.00

**2. Assignment (See "ASSIGNMENT  
COVER SHEET")**

\$40.00

**3. Four-month extension of time**

\$105.00

Total Completion Fees \$105.00

#### **PAYMENT OF FEES**

**IV.** Enclosed is a check in the amount of \$105.00.

Please charge Account No. 50-1196 for any additional fees that may be due by this paper.

#### **AUTHORIZATION TO CHARGE ADDITIONAL FEES**

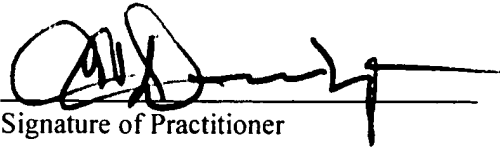
**V.** The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper and during the pendency of this application to Account No. 50-1196.

37 C.F.R. Section 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

Date: January 25, 2002

Reg. No.: 35,124

Tel. No.: 864-250-2238

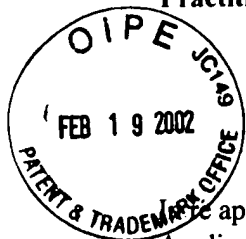


Signature of Practitioner

Charles E. Dunlap  
Nelson Mullins Riley & Scarborough  
Keenan Building, Third Floor  
1330 Lady Street  
Columbia, SC 29201

Practitioner's Docket No. 16139/09015

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: Brian R. Genge et al.

Application No.: 09/978,601

Group No.: 1755

Filed: October 16, 2001

Examiner: Unknown

For: Biocompatible Cement Containing Reactive Calcium Phosphate Nanoparticles and Methods for Making and Using Such Cement

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

**CERTIFICATE OF MAILING UNDER 37 C.F.R. section 1.8(a)**

I hereby certify that the attached correspondence comprising:

1. Fee Transmittal Form (1 page).
2. Notice to File Missing Parts of Nonprovisional Application (1 page).
3. Completion of Filing Requirements - Nonprovisional Application (3 pages).
4. Combined Declaration and Power of Attorney document (3 pages).
5. Assignment Cover Sheet - including one assignment document (7 pages).
6. Check in the amount of \$105.00
7. Return Postcard

is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

on January 25, 2002

Diane Filatov

  
Signature of person mailing paper